UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,798	08/19/2003	Linda Betz	POU903020US1	7469

46369 7590 04/06/2007 HESLIN ROTHENBERG FARLEY & MESITI P.C. 5 COLUMBIA CIRCLE ALBANY, NY 12203	**EXAMINER** SMITHERS, MATTHEW

ART UNIT	PAPER NUMBER
2137	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/643,798	BETZ ET AL.
	Examiner	Art Unit	
	Matthew B. Smithers	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*19 August 2003*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-60* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-9,11,21,22,24-29,31,41,42,44-49 and 51* is/are rejected.

7)☒ Claim(s) *3,10,12-20,23,30,32-40,43,50 and 52-60* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *8/19/03; 3/24/05*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statements filed August 19, 2003 and March

24, 2005 have been placed in the application file and the information referred to

therein has been considered as to the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-9, 11, 21, 22, 24-29, 31, 41, 42, 44-49 and 51 are rejected

under 35 U.S.C. 102(e) as being anticipated by US 7,134,022 granted to Flyntz

et al.

Regarding claim 1, Flyntz meets the claimed limitations as follows:

"A method of implementing a data access control facility, said method

comprising: assigning personally identifying information (PII) classification labels

to PII data objects, wherein a PII data object has one PII classification label

assigned thereto; defining at least one PII purpose serving function set (PSFS)

comprising a list of application functions that read or write PII data objects; and

assigning a PII classification label to each PSFS, wherein a PII data object is

only read accessible via an application function of a PII PSFS having a PII

classification label that is equal to or a proper subset of the PII classification label

of the PII data object." see column 1, line 49 to column 3, line 10; column 4, line

26 to column 5, line 34; column 6, line 34 to column 7, line 21 and Figure 1.

Regarding claim 2, Flyntz meets the claimed limitations as follows:

"The method of claim 1, wherein a PII data object is write accessible by an

application function of a PII PSFS having a PII classification label that is equal to

or dominant of the PII classification label of the PII data object." see column 1,

line 49 to column 3, line 10; column 4, line 26 to column 5, line 34; column 6, line

34 to column 7, line 21 and Figure 1.

Regarding claim 4, Flyntz meets the claimed limitations as follows:

"The method of claim 1, further comprising identifying a user invoking a particular

function of the data access control facility, and assigning a PII clearance set to

the identified user, wherein the PII clearance set comprises a list of one or more

PII classification labels for the identified user." see column 4, lines 26-38 and

Figure 1.

Regarding claim 5, Flyntz meets the claimed limitations as follows:

"The method of claim 1, wherein the PII classification label assigned to the PII

data object includes an identification of an owner of the PII data object." See

column 6, lines 21 and Figure 1.

Regarding claim 6, Flyntz meets the claimed limitations as follows:

"The method of claim 1, wherein the PII classification label assigned to the PII

data object includes an indication of at least one purpose for which the data

object may be used." see column 1, line 49 to column 3, line 10; column 4, line

26 to column 5, line 34; column 6, line 34 to column 7, line 21 and Figure 1.

Regarding claim 7, Flyntz meets the claimed limitations as follows:

"The method of claim 1, further comprising initially defining PII purposes within an

enterprise to use the data access control facility, and employing the PII purposes

in defining the PII classification labels assigned to the PII data objects and

assigned to the at least one PSFS." see column 1, line 49 to column 3, line 10;

column 4, line 26 to column 5, line 34; column 6, line 34 to column 7, line 21 and

Figure 1.

Regarding claim 8, Flyntz meets the claimed limitations as follows:

"A data access control method comprising: (i) invoking, by a user of a data

access control facility, a particular function, said data access control facility

having personally identifying information (PII) classification labels assigned to PII

data objects and at least one PII purpose serving function set (PSFS) including a

list of application functions that read, write or reclassify PII data objects, and

having a PII classification label assigned thereto, and wherein the user of the

data access control facility has assigned thereto a PII clearance set, the PII

clearance set for the user comprising a list containing at least one PII

classification label; (ii) determining whether the particular function is defined to a

PII PSFS of the at least one PII PSFS of the data access control facility, and if

so, determining whether the user's PII clearance set includes a PII classification

label matching the PII classification label assigned to that PII PSFS, and if so,

allowing access to the particular function; and (iii) determining whether the user

is permitted access to a selected data object to perform the particular function."

see column 1, line 49 to column 3, line 10; column 4, line 26 to column 5, line 34;

column 6, line 34 to column 7, line 21 and Figure 1.

Regarding claim 9, Flyntz meets the claimed limitations as follows:

"The data access control method of claim 8, further comprising, prior to said

invoking, establishing a process within an operating system under security

control of the data access control facility, and wherein said invoking occurs within

said established process." see column 1, line 49 to column 3, line 10; column 4,

line 26 to column 5, line 34; column 6, line 34 to column 7, line 21 and Figure 1.

Regarding claim 11, Flyntz meets the claimed limitations as follows:

"The data access control method of claim 9, wherein said determining (iii)

comprises determining whether the selected data object comprises a PII data

object, and if so, verifying that the user's particular function is defined to a PII

PSFS of the at least one PII PSFS of the data access control facility, and if not,

denying access to the selected data object." see column 1, line 49 to column 3,

line 10; column 4, line 26 to column 5, line 34; column 6, line 34 to column 7, line

21 and Figure 1.

Claims 21, 22, and 24-27 are system claims that are substantially equivalent to

method claims 1, 2, and 4-7. Therefore claims 21, 22, and 24-27 are rejected by

a similar rationale.

Claims 28, 29, and 31 are system claims that are substantially equivalent to method claims 8, 9, and 11. Therefore claims 28, 29, and 31 are rejected by a similar rationale.

Claims 41, 42, and 44-47 are claims to a computer readable storage medium embodying the executable instructions for performing the steps of method claims 1, 2, and 4-7. Therefore claims 41, 42, and 44-47 are rejected by a similar rationale.

Claims 48, 49, and 51 are claims to a computer readable storage medium embodying the executable instructions for performing the steps of method claims 8, 9, and 11. Therefore claims 48, 49, and 51 are rejected by a similar rationale.

Allowable Subject Matter

Claims 3, 10, 12-20, 23, 30, 32-40, 43, 50 and 52-60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 3, 23, and 43, the cited prior art fails to specifically teach wherein the PII data object may be write accessible by an application function of a PII PSFS having a list of PII reclassifications which are allowed to that PII PSFS.

With respect to claims 10, 30, and 50, the cited prior art fails to specifically teach determining (ii) further comprises denying access to the particular function if the particular function is not defined to a PII PSFS of the data access control facility, and a current process label (CPL) has been previously set for the established process.

With respect to claims 12, 13, 32, 33, 52, and 53, the cited prior art fails to specifically teach determining (iii) further comprises determining whether a current process label (CPL) has been set for the established process if the selected data object is other than a PII data object, and if not, rendering an access decision to the selected data object via discretionary access control checking.

With respect to claims 14, 34, and 54, the cited prior art fails to specifically teach determining (iii) further comprises determining whether the particular function comprises a read operation, and if so, determining whether the PII classification label assigned to the PII PSFS to which the particular function is defined is equal to or a proper subset of a PII classification label associated with the selected data object, and if not, denying access to the selected data object, and if so, adding the PII classification label of the selected data object to a current process label (CPL) list for the established process.

With respect to claims 15-17, 35-37, and 55-57, the cited prior art fails to specifically teach determining (iii) further comprises determining that the particular function is other than a read operation, and when so, determining whether a current process label (CPL) list for the established process exists, and

if not, allowing an access decision to the selected data object to proceed via discretionary access control checking.

With respect to claims 18-20, 38-40, and 58-60, the cited prior art fails to specifically teach providing a current process label (CPL) list for the established process, the CPL list comprising a dynamic list of the PII classification labels of each PII data object read within the established process.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Weller et al (US 20040225883) discloses a method for providing levels of security in a communication system.

B. Leersen et al (US 20040187020) discloses a method for granular access control to a communications system.

C. Rodriquez et al (US 7,093,298) discloses an apparatus for object security and management.

D. Van Dyke et al (US 6,412,070) discloses a method for controlling access to objects in a computing environment.

E. Rozen et al (US 6,073,106) discloses a method of controlling access to personal information.

F. Kuhn (US 6,023,765) discloses a role-based access control system.

G. Howell et al (US 5,276,901) discloses a system for controlling group access to objects.
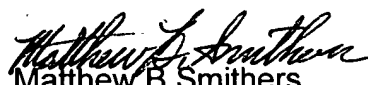
H. Covey (US 4,926,476) discloses method for secure execution untrusted software.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew B Smithers
Primary Examiner
Art Unit 2137